

VILLAGE OF ANTIOCH
PLANNING AND ZONING BOARD
THE BOARD ROOM, VILLAGE HALL
874 MAIN STREET, ANTIOCH, ILLINOIS

April 27, 2006

CALL TO ORDER: The meeting of the Antioch Planning and Zoning Board was called to order by Chairman Burdick at 7:30 p.m. in the Board Room at Village Hall, 874 Main Street, Antioch, Illinois 60002.

ROLL CALL: Roll call indicated the following members were present: Ipsen, Cole, Kaiser, LaReese, Keller and Baba. Also present were Chairman Burdick and Attorney Magna.

MINUTES: Minutes from this February 23rd meeting was approved as presented by Member Cole and seconded by Member Kaiser.

ROLL CALL:

YES:	5	Ipsen, Cole, Kaiser, LaReese, Baba
NO:	0	
RECUSE:	1	Keller
ABSENT:	0	

ANNOUNCEMENTS: Mr. Robert Silhan, Director of Planning, Zoning and Building, mentioned that another meeting will be held on May 11.

OLD BUSINESS: PZB 05-13; Requested preliminary PUD plan within the existing R-1, Single-family District; 300 new single-family homes plus one existing mansion on 156 Acres (+/-); west side of U.S. Route 45 approximately two-thirds mile north of Illinois Route 173; and immediately east of the Deercreek-NeuHaven PUD at Sandy Drive; PIN 02-1-300-005 and 02-11-400-005; cka White Tower Farm; Dennis Cortesi, Residential Land Fund.

PRESENTATION: Mr. Dennis Cortesi explained that he met with the staff and Smith Engineering and has closed out all open issues. It is an added, zoned piece of property with no variations. They have an agreement of staff and Smith Engineering that they are at a place on the plans and engineering to gain approval for the preliminary plat, he further mentioned.

Chairman Burdick stated that there were alot of questions left open but thinks most of them have been answered.

Member Ipsen asked if the 50' easement that Western Pipeline Company is requesting is for each side of the pipeline.

Mr. Ulatowski responded that it is 50' for the both sides.

Member Ipsen mentioned that he was going to look into that.

Member LaReese asked who was going to maintain the walking path and the rain gardens.

Mr. Ulatowski replied the Homeowners Association.

Member LaReese then asked what is involved in maintaining the rain gardens.

Mr. Ulatowski responded that they sound more complicated then they are. Instead of having normal drainage that runs clearly out there's a little bump so the water sits in the ponds. Underneath the whole area an underdrain and gravel drain will be installed so the water will sink down into the ground. There is no real maintenance on a normal basis, he explained.

Member Ipsen mentioned that he located the previous easement question and it is 25' setback on each of the sides. He thanked staff for doing all the research and getting all of the material to them.

Attorney Magna mentioned that the little bump on the rain gardens needs to be maintained. Some language for the covenants will need to be added that will put an obligation on the individual homeowner to recognize that as a no touch zone, it needs to be defined a little better in the covenants, he further mentioned.

He stated that the underdrain is a continuous drainage pipe through the rear and as long as the rain gardens run it may silt up or have an issue. If it gets blocked in one end, water would be sitting in people's yards.

Mr. Ulatowski replied that it can block but one of the advantages of the pipe with the gravel path around it is if the pipe actually jams it travels down the gravel past the jam in the pipe. This is identical to the rear yard storm sewer they have and will be handled with the same maintenance method, he explained.

Attorney Magna asked if he's saying that the possibility is remote.

Mr. Ulatowski responded that it would be very remote. The backyard still drains downhill so when there's a major rainstorm and it comes over that bump it drains down through the lots not flooding anywhere into the storm sewer system. In small rainstorms they want the water to go into the ground. In a major rainstorm it functions perfectly normal and flows over the little bumps, he explained.

Attorney Magna stated that they will deal with that remote possibility in the covenants and that it should be the responsibility of the homeowners association.

PUBLIC COMMENT:

The recording secretary administered the oath to the public.

DISCUSSION:

Mr. Wayne Blake, 41040 North Ridge Circle, stated that he still has concerns about the pipeline and attracting people to use it as a walking path. The line has been buried for over 50 years and failure can't happen. It should possibly be used as open space but not for people to use daily, he further stated.

He mentioned that he did not hear anything in regards to the fence that he suggested on the north side and part of the east side where it backs up to his property. He also asked if the response from the DNR had been received regarding the fence for their property.

Mr. Cortesi replied that it is not required in that location.

Ms. Norma Lacanski, 41966 North Highway 45, read a letter she wrote to the Village which consisted of asking that the property along the entire south and east side of the proposed park property be fenced as it is a potential safety risk to children, she mentioned.

Mr. Silhan stated that the developer agreed to put a fence on the south, east and west of the park property.

Mr. Cortesi mentioned that he did agree to the fence.

Mr. Blake stated that he doesn't understand why the other areas are going to be fenced and his is not.

Chairman Burdick responded that they can take that into consideration.

Ms. Lacanski asked what was going to happen with all the material flying around.

Mr. Cortesi replied that it will be a clean job site.

Ms. Lacanski asked if they can contact him if it's not.

Mr. Cortesi responded sure.

Chairman Burdick suggested that she notify either the Village or the builder and they will be responsive to her needs.

Mr. Silhan explained that the staff report dated April 20 was submitted to the PZ&B and to the petitioner which stated that all of the items that were a concern have been addressed. There are some details primarily in Engineering and also in the covenants that need to be looked at in the final plat and the developer is well aware of those items. In terms of preliminary PUD approval it's felt that this is ready for a positive recommendation, he further explained.

Chairman Burdick thanked the petitioner and the developer for all the data they sent back that was requested.

Member Baba asked what kind of care needs to take place when earth moving machinery is going around the property. Is it able to go over the pipeline site and how is that going to be guarded, he then asked.

Mr. Ulatowski replied that during construction the pipeline will be fenced off. There will be two crossings allowed, there will be a larger cover on the pipe, those will be the only locations which the heavy equipment can cross the pipeline.

Member Baba asked if there will be anything as a protective coating or sleeve around the pressurized pipe to guard against rupture.

Mr. Ulatowski responded that the pipeline people do not want covering on their pipe. They want their pipe to be able to expand and contract. They will have to cross it with sewer and water by hand digging. When they get near the high pressure mains the gas

company will be there while it's being done and will direct the operation of the crossing of the gas mains.

Chairman Burdick asked how the mound itself is done.

Mr. Ulatowski replied that dirt is piled up so it doesn't go down and hurt the pipe. There is no risk of crushing it but you don't want to move it, he explained.

Mr. Blake mentioned that nothing can go 2' above it or 2' below it.

Member Ipsen stated that at the last meeting there a discussion that a resolution should be reached with the property owner adjacent to the north.

Mr. Cortesi explained that he wants the 150 acres of open space. It is not warranted there, he mentioned.

Member Ipsen asked if there was a discussion between him and Mr. Blake regarding the fence.

Mr. Cortesi reiterated that it is not warranted there and not a good idea.

Mr. Blake stated that there is 20 acres of property with a lake back there and they are going to walk in the back of his property to get to the lake. They should fence it off otherwise people will think it's open and go back there.

Attorney Magna asked if a no trespassing sign is posted.

Mr. Blake replied no but there will be. He will press charges on everyone who trespasses, he stated.

Attorney Magna asked if they would have to go down that 20' strip to get to the lake.

Mr. Blake responded yes.

Ms. Susan Peterson, 19575 West Birch Hollow Drive, stated children have natural tendencies to be curious and they will trespass.

Attorney Magna explained that rights and properties are always a concern and safety is an overall concern. People should post with a combination of plantings or something with ultimate landscaping. Kids could climb a fence and they could also go around the fence but hopefully parents would watch their kids, he further explained.

Member Baba mentioned that there will always be someone that wants to go on the other side of whatever you have. He's not quite certain what wants to be achieved is going to have any effect on the bottom line which is that kids will always try to discover and they'll do whatever they can to achieve that whether there is a fence or not.

Mr. Blake asked why the Doolittle's and the park were being appeased.

Mr. Cortesi reiterated that it is not required nor a good idea.

Attorney Magna explained that the park is public property and needs to be clearly defined. Are there residents near the Doolittle's farm, he asked.

Mr. Cortesi responded that this was part of a negotiation to get an easement.

Attorney Magna mentioned that this is more a failure of people to agree and get together rather than it is to comply with rules and regulations.

Mr. Blake explained that there is a road and they travel down that road. It is a safety concern because children could come on his side when they're playing and there are bushes which makes it hard to see. The Board can require a fence in a Planned Unit Development, he stated.

Ms. Lacanski stated that she is in support of the fence because it is his property and asked if the people will be using that road as their own with their equipment when they're building.

Mr. Cortesi replied they would absolutely not use that road.

Mr. Blake mentioned that the farmers are using it now and act like they own it.

Ms. Peterson stated that they are the ones putting the impact on Mr. Blake's property and asked why he should have to pay for the fence.

Chairman Burdick mentioned that he is right; if the Board wants to demand something like this they could. We've asked that you work together and come up with a solution but it doesn't seem feasible, he further mentioned.

Mr. Cortesi stated that there is a 10' landscape buffer along that property line per the ordinance.

Member Cole asked what was going to be done with the Homeowners Association so they are aware they are not supposed to cross that piece of property.

Mr. Cortesi responded that it is going to be at the rear of their yards.

Member Cole asked about the people that were walking on the path. Is there going to be some type of signage to let them know they can't cross, she asked.

Mr. Cortesi explained that this was the same as any community that's built and it will be marked.

Member Cole mentioned that Mr. Blake's issue with the fence is just as important as Ms. Lacanski and Mr. Doolittle's.

Mr. Cortesi replied that he doesn't agree.

Attorney Magna asked if people were going to be able to fence their yards.

Mr. Cortesi responded per the ordinance.

Attorney Magna mentioned that they would be allowed to put fences in their backyards and some people will have fences back there anyway.

Mr. Silhan stated fencing is allowed and suggested requiring a homeowner to put up their own fence.

Attorney Magna mentioned that it is not a good idea to require fencing.

Mr. Silhan stated that there is a fence requirement in the Red Wing View PUD but it is a 4' high picket PVC fence and it's only along that portion of the IDNR property that is closer to the marsh, it's not all the way along the site. The Board and developer at that time were dealing with the same problem that wherever the fence ends there's still going to be some type of problem so a combination of some kind of visual barrier along with a sign that says no trespassing is more appropriate.

MOTION:

Member Baba moved to approve PZB 05-13. Member Keller seconded the motion.

DISCUSSION:

Member Ipsen asked for consideration of adding a fence.

Member Baba replied not from his motion.

ROLL CALL:

YES: 4 Kaiser, LaReese, Keller, Baba
NO: 2 Ipsen, Cole
RECUSE: 0
ABSENT: 0

MOTION:

Member Keller moved to adjourn at 8:06 p.m. The motion was seconded by Member Ipsen. All ayes; motion carried.

Respectfully submitted,

Katherine A. Gallagher
Permits Coordinator